

AGILENT TECHNOLOGIES, INC.
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AT&T 1/2863
PATENT APPLICATION

ATTORNEY DOCKET NO. 10990531-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Sutton et al.

Serial No.: 09,992,224

Examiner: Lau

Filing Date: Nov 19, 2001

Group Art Unit: 2863

Title: Electronic Test System and Method

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COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	25	MINUS	27	= 0	X \$18	\$ 0
INDEP. CLAIMS	7	MINUS	8	= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Sutton et al.

By June L. Bouscaren
June L. Bouscaren
Attorney/Agent for Applicant(s)
Reg. No. 37,928

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: Oct 30, 2003

Typed Name: June L. Bouscaren

Signature: June L. Bouscaren

Date: Oct 30, 2003

Telephone No.: (970) 206-9177

Attach as First Page to Transmitted Papers.



Docket No. 10990531-1
USPTO Ser. No. 09/992,224

11/13/03
Christopher Sutton
CWE
11/13/03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of the Application of: Sutton et al.
Serial No. : 09/992,224
Filed: November 19, 2001
For : Electronic Test System and Method
Examiner: Lau
Group Art Unit: 2863

Assistant Commissioner for Patents
Washington, DC 20231

**Request for Advisory Action and
Submittal of Affidavit Under 37 C.F.R. §1.131**

Dear Sir,

Final Office Action dated October 16, 2003, rejects claims 1-6, 8-11, 16, 18, 21, 23 and 26 as anticipated by U.S. Pat. Application Publication No. US 2003/0093736 A1 to Grey (herein "the Grey Publication") under 35 U.S.C. §102(e). Claims 7, 12, 13, 14, 15, 17, 19, 20, 22, and 24, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

In response to the Final Rejection, an Affidavit by Inventor Christopher Sutton under 37 C.F.R. §1.131 showing an actual reduction to practice of the claimed

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invention on a date prior to the filing date of the Grey Publication, August 31, 2001, is filed herewith for the purpose of removing the Grey Publication as an anticipating reference. It is Applicant's position that the Grey Publication discloses, but does not claim the subject matter of the present invention for reasons presented. In view of the portions of the Grey Publication used to reject the claims as presented in the Final Rejection, however, the Examiner may take a different position in the Advisory Action.

In addition, Applicant responds to maintenance of the rejection of claims 1-6, 8-11, 16, 18, 21, 23 and 26 as anticipated by the Grey Publication. Consideration of the following Remarks and an Advisory Action is respectfully requested.